

**DEPARTMENT THREE – JUDGE HARRY KINNICUTT
TENTATIVE RULINGS SCHEDULED FOR
WEDNESDAY, JUNE 26, 2013**

**STAR INSURANCE COMPANY V. BY FAITH PRODUCTIONS, INC.
Case No. FCM131288**

Motion to Strike Defendant's Answer to Complaint

TENTATIVE RULING

A corporation can neither represent itself before courts of record in propria persona nor through a corporate officer, director, or other employee who is not a licensed attorney. CLD Constr., Inc. v. City of San Ramon (2004) 120 Cal.App.4th 1141, 1145. It must be represented by a licensed attorney in proceedings before courts of record. Id.

However, pleadings are to be liberally construed, and where the defect raised by a motion to strike can be reasonably cured, the court should grant leave to amend to allow the party to cure the defect. CLD, 120 Cal.App.4th at 1146-47.

Without evidence that he is a licensed California attorney, Defendant's president cannot represent the corporation in court.

The court therefore strikes the answer filed on behalf of Defendant by Defendant's president. However, Defendant's failure to be represented by an attorney is a curable defect. The court shall grant Defendant 30 days leave to file an amended answer through a licensed California attorney. If no such answer is filed within 30 days of service of this order, Plaintiff is free to request entry of Defendant's default.